

Prior law provided that within 72 hours of admission to a treatment facility by emergency certificate, the person must be independently examined by the coroner, or his deputy, who must execute an emergency certificate, pursuant to prior law, which is a necessary precondition to the person's continued confinement. Prior law further provides that if the actual examination by the psychiatrist is conducted by telemedicine, the 72-hour independent examination by the coroner must be conducted in person.

New law retains prior law, and further provides as follows for any parish with a population between 191,000 and 192,000, according to the latest decennial census:

1. The coroner or deputy coroner, who is a physician preferably a psychiatrist, may conduct an examination and execute an emergency certificate by telemedicine utilizing video conferencing equipment, provided a licensed health care professional who can adequately and accurately assist with obtaining necessary information will be present in the examining room with the patient at the time of the video conferencing.
2. The coroner or deputy coroner, who is a physician preferably a psychiatrist, may conduct an examination and execute an emergency certificate by telemedicine utilizing video conferencing equipment if the initial examination was made in person by a psychiatrist, psychiatric mental health nurse practitioner, or by a psychologist.
3. If the coroner conducted the initial examination by telemedicine and executed the first emergency commitment certificate, a second examination shall be made in person within the 72-hour period prescribed in prior law by any psychiatrist, psychiatric mental health nurse practitioner, or by a psychologist at the treatment facility where the person is confined.
4. When a patient is transferred from another parish pursuant to an emergency certificate, a second physician's emergency certificate may be executed by a physician at the admitting facility.
5. The coroner shall be notified immediately following the execution of the second emergency certificate and shall conduct an independent examination within 72 hours as provided in prior law and in the manner provided in new law.
6. Provides that nothing in new law shall be construed to authorize a period of commitment of more than 15 days from the date and time the initial emergency certificate was executed in the parish of origin.

Effective July 2, 2010.

(Amends R.S. 28:53(G)(2); adds R.S. 28:53(G)(7))